

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
19460

In Re Application Of: Christopher Milton Mathew Franco, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/563,637	January 6, 2006	Unassigned	23389	Unassigned	4137

Title:

**A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING
ENDOPHYTIC ACTINOMYCETES AND METABOLITES THEREOF**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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**A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING
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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Certificate of Transmission by Facsimile***

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(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

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June 16, 2006

(Date)

Signature of Person Mailing Correspondence

Xiaochun Zhu

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Dated: June 16, 2006

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CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Milton Mathew Franco, et al. **Examiner:** Unassigned
Serial No.: 10/563,637 **Art Unit:** Unassigned
Filed: January 6, 2006 **Docket:** 19460
For: A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY
 INVOLVING ENDOPHYTIC ACTINOMYCETES
 AND METABOLITES THEREOF **Dated:** June 16, 2006

Confirmation No: 4137

Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Sardi P. et al., "Isolation of Endophytic *Streptomyces* Strains from Surface-Sterilized Roots", *Applied and Environmental Microbiology*, 58(8):2691-2693 (1992);
2. Salleh A., "News in Science-Antibiotics for Wheat",
<http://www.abc.net.au/science/news/stories/s351442.htm> (2001);
3. El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by *Streptomyces Atroolivaceus*", *J. Agronomy & Crop Science*, 163:109-114 (1989);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 16, 2006


 Xiaochun Zhu

4. Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", *Applied and Environmental Microbiology*, 69(9):5603-5608 (2003); and
5. Coombs J.T. et al., "Visualization of an Endophytic *Streptomyces* Species in Wheat Seed", *Applied and Environmental Microbiology*, 59(7):4260-4262 (2003).

The references were cited in a Search Report dated September 30, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. A copy of the Search Report was submitted by Applicants on January 6, 2006. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



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XZ:dg

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

Atty. Docket No. (Optional)

19460

Application Number

10/563,637

Applicant(s)

Christopher Milton Mathew Franco, et al.

Filing Date

January 6, 2006

Group Art Unit

Unassigned

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

/AG/	Sardi P. et al., "Isolation of Endophytic <i>Streptomyces</i> Strains from Surface-Sterilized Roots", <i>Applied and Environmental Microbiology</i> , 58(8):2691-2693 (1992)
/AG/	Salleh A., "News in Science-Antibiotics for Wheat", http://www.abc.net.au/science/news/stories/s351442.htm (2001)
/AG/	El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by <i>Streptomyces Atroolivaceus</i> ", <i>J. Agronomy & Crop Science</i> , 163:109-114 (1989)
/AG/	Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", <i>Applied and Environmental Microbiology</i> , 69(9):5603-5608 (2003)
/AG/	Coombs J.T. et al., "Visualization of an Endophytic <i>Streptomyces</i> Species in Wheat Seed", <i>Applied and Environmental Microbiology</i> , 59(7):4260-4262 (2003)

EXAMINER

/Anish Gupta/

DATE CONSIDERED _____

03/16/2009

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.